

TOBEY WOODS CONDOMINIUM ASSOCIATION (TWC)

VARIANCE REQUEST

Request made by:

UNIT # _____

OWNER NAME: _____

PHONE #: _____

EMAIL: _____

Completed applications should be submitted to the Board of Managers for consideration and sent to Crofton Perdue c/o Tobey Woods, 111 Marsh Road-Suite 1, Pittsford NY 14534.

The Board of Managers makes the final decision on variance requests and assumes no responsibility for your contractor's workmanship. TWC is under no obligation to grant variances. All requests will be considered on a case by case basis considering the unique circumstances that may exist with each unit. All requests must be in writing and signed by the owner. Verbal requests will not be considered.

I REQUEST permission to make the following changes to the exterior of my condo UNIT # _____ or the common area of the community. Attached is a sketch of proposed changes, list specific materials and colors to be used, etc.

Reason for request: _____

I understand that all current work and any future maintenance required will be at my (owner's) expense.

Affected neighbors must be notified by the Owner of any change they will see to my unit and/or common area modified. Completed NEIGHBOR AWARENESS ATESTATION forms must be completed and signed.

If contractor is used, attach contractor's certificates of general liability and workers' compensation insurance with the homeowner and TWC listed as additional insured.

I will accept conditions to the variance and be responsible to restore to its original condition all collateral damage caused by the proposed change. When I sell my unit, I will be responsible for notifying the new owner of their responsibility for this variance maintenance cost. I will maintain any landscaping (trimming, weeding, cutting back, removal, etc.) deemed my responsibility. I agree that TWC at its discretion will maintain or remove my plantings and bill me if I am remiss in my maintenance responsibilities.

OWNERS SIGNATURE: _____

DATE: _____

FOR BOARD OF MANAGERS' USE

APPROVED ___ Yes ___ No

APPROVED WITH CONDITIONS ___ Yes ___ No as follows

DISAPPROVED: ___ Yes ___ No

TWC:

Signature **Position**

DATE: _____

COMMENTS ON FINAL INSPECTION BY BOARD OF MANAGERS OR PROPERTY MANAGER: _____

Note: If a change is made to the request after board approval (different contractor, scope of job, material change, etc.) this agreement is void.

**TOBEY WOODS CONDOMINIUM ASSOCIATION
NEIGHBOR AWARENESS ATTESTATION FORM**

Using this form, the Owner must obtain the approval of the two next door neighbors if the changes can be seen from their units or affects them in any way.

UNIT #: _____

OWNERS'S NAME: _____

TELEPHONE #: _____

Neighbor's Unit #: _____

Neighbor's Name: _____

Telephone #: _____

I have reviewed the plans and specifications for my neighbor's proposed changes/improvements. My comments are noted below:

CHECK ONE

___ **I have no concern about the proposed changes/improvements regarding impact on my unit.**

___ **I have the following concerns regarding impact on my unit.**

SIGNATURE: _____ **DATE:** _____

TOBEY WOODS CONDOMINIUM ASSOCIATION

VARIANCES STIPULATIONS/GUIDELINES

- 1. Homeowner assumes all costs including design and construction, and the continuing costs of maintenance as scheduled by, and/or acceptable to TWC.**
- 2. In the event maintenance is not continued in a manner acceptable to the TWC, the homeowner will be obligated for any costs incurred by TWC to continue maintenance, or to restore the property to its original condition.**
- 3. If the request includes plantings of any kind, they are to be approved by the Board of Managers.**
- 4. In the event of transfer of ownership of the property, homeowner will:**
 - A. Pay any costs required to restore the property in a manner, and to a condition, acceptable to the Association, OR**
 - B. Assume responsibility for notifying the new owner of his/her obligation to comply with the Stipulations and Guidelines applicable to the modification. Provide TWC with written documentation that the buyer accepts maintenance responsibility by signing such documentation.**

PLANTING GUIDELINES

- 1. Plantings are to be mainly shrubbery, ground cover and perennials or annuals. Flowering shrubbery is recommended.**
- 2. Trees, when permitted, must be approved specifically for size, location, and variety.**
- 3. Plantings, requiring trellises, fences or privacy screen will be approved only if removable, do not touch any building, and do not adversely affect or impede building maintenance.**
- 4. Edging is to be flush with the ground to facilitate grass cutting.**
- 5. White stone, marble chips or multicolored stones are NOT permitted, except within courtyards.**
- 6. Homeowner is responsible for weeding, cultivation and maintenance with all planting modifications.**
- 7. Mulch, where used, must be of a kind approved by the Landscape Committee and kept away from buildings.**

Board of Managers

March 2020